U.S. Army Corps of Engineers

DISTRICT OFFICE: Nashville District

FILE NUMBER: 2003-01119

PROJECT LOCATION INFORMATION:

State: Tennessee County: Monroe

Center coordinates of site (latitude/longitude): N35.58334 W84.46453 Approximate size of area (parcel) reviewed, including uplands: 190 acres.

Name of nearest waterway: Sweetwater Creek

Name of watershed: Watts Bar

Completed: Desktop determination Date: 02/08/2007 Site visit(s) Date(s): 01/18/2007

	Preliminary JD - Based on available information, \square <i>there appear to be</i> (or) \square <i>there appear to be no</i> "waters of the United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331).
\boxtimes	Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply:
	☐ <i>There are</i> "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:
	There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area: 16 acres.
	☐ There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area. ☐ Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No. Jurisdiction.

BASIS OF JURISDICTIONAL DETERMINATION:

Α.	Waters defined under 33 CFR part 329 as "navigable waters of the United States":
	The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or h

nave been used in the past, or may be susceptible for use to transport interstate or foreign commerce.

B. Waters defined under 33 CFR part 328.3(a) as "waters of the United States":

(1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in
interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide.
(2) The presence of interstate waters including interstate wetlands ¹

(3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply):

- □ (i) which are or could be used by interstate or foreign travelers for recreational or other purposes.
 □ (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.
- (iii) which are or could be used for industrial purposes by industries in interstate commerce.
- (4) Impoundments of waters otherwise defined as waters of the US.
- (5) The presence of a tributary to a water identified in (1) (4) above.
- (6) The presence of territorial seas.
- (7) The presence of wetlands adjacent² to other waters of the US, except for those wetlands adjacent to other wetlands.

	reral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: □ clear, natural line impressed on the bank □ the presence of litter and debris □ changes in the character of soil □ destruction of terrestrial vegetation □ shelving □ other: □ other: □ others
	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by: PTRL Environmental Services
Bas	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:
DATA F	Other (explain): REVIEWED FOR JURSIDICTIONAL DETERMINATION (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. ☐ This office concurs with the delineation report, dated 01/02/2007, prepared by (company): PTRL ☐ This office does not concur with the delineation report, dated ☐ This office does not concur with the delineation report, dated ☐ This office does not concur with the delineation report, dated ☐ This office does not concur with the delineation report, dated ☐ This office does not concur with the delineation report, dated ☐ This office does not concur with the delineation report, dated ☐ This office does not concur with the delineation report, dated ☐ This office does not concur with the delineation report, dated ☐ This office does not concur with the delineation report, dated ☐ This office does not concur with the delineation report, dated ☐ This office does not concur with the delineation report, dated ☐ This office does not concur with the delineation report, dated ☐ This office does not concur with the delineation report, dated 01/02/2007, prepared by (company): ☐ This office does not concur with the delineation report, dated 01/02/2007, prepared by (company): ☐ This office does not concur with the delineation report, dated 01/02/2007, prepared by (company): ☐ This office does not concur with the delineation report, dated 01/02/2007, prepared by (company): ☐ This office does not concur with the delineation. ☐ This office does not concur with the delineation. ☐ This office does not concur with the delineation. ☐ This office does not concur with the delineation. ☐ This office does not concur with the delineation. ☐ This office does not concur with the delineation. ☐ This office does not concur with the delineation. ☐ This office does not concur with the delineation. ☐ This office does not concur with the delineation. ☐ This office does not concur with the delineation.
	100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date): ERFO GIS/Date Unknown Other photographs (Date): 07/18/2003, 11/9/2004, 2/8/2007 Advanced Identification Wetland maps: Site visit/determination conducted on: 01/18/2007 Applicable/supporting case law: Other information (please specify):

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

 $^{^{2}}$ The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DISTRICT OFFICE: Nashville **FILE NUMBER: 200700226**

Stat Cou Cen App Nar	CT LOCATION INFORMATION: te: Tennessee intry: Wayne ter coordinates of site (latitude/longitude proximate size of area (parcel) reviewed, the of nearest waterway: Unnamed Tribut the of watershed: Pickwick	including		
	npleted: Desktop determination Site visit(s)	\boxtimes	Date: 2/07/07 Date(s):	
Jur	isdictional Determination (JD):			
			there appear to be (or) there appear to be no "waters of the nited States" on the project site. A preliminary JD is not appealable	
	Approved JD – An approved JD is an a Check all that apply:	ppealable	action (Reference 33 CFR part 331).	
	There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:			
	There are "waters of the United Stareviewed area. Approximate size of jur		efined by 33 CFR part 328 and associated guidance) within the al area: 360 linear feet.	
	 There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area. Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of Jurisdiction. 			
	DF JURISDICTIONAL DETERMINA Waters defined under 33 CFR part 3 The presence of waters that are subject the past, or may be susceptible for use the past of the	29 as "na to the ebb	and flow of the tide and/or are presently used, or have been used in	
B.	interstate or foreign commerce, includir (2) The presence of interstate waters inc (3) The presence of other waters such a sandflats, wetlands, sloughs, prairie pot destruction of which could affect inters (i) which are or could be used by inc (iii) from which fish or shellfish are (iii) which are or could be used for (4) Impoundments of waters otherwise (5) The presence of a tributary to a water (6) The presence of territorial seas.	urrently ung all water cluding in s intrastat tholes, we tate communiterstate of e or could industrial defined as er identific	sed, or were used in the past, or may be susceptible to use in ers which are subject to the ebb and flow of the tide. terstate wetlands ¹ . e lakes, rivers, streams (including intermittent streams), mudflats, t meadows, playa lakes, or natural ponds, the use, degradation or herce including any such waters (check all that apply): or foreign travelers for recreational or other purposes. be taken and sold in interstate or foreign commerce. I purposes by industries in interstate commerce.	

Lat ⊠	eral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: ☐ clear, natural line impressed on the bank ☐ the presence of litter and debris ☐ changes in the character of soil ☐ destruction of terrestrial vegetation ☐ shelving ☐ other: ☐ other: ☐ High Tide Line indicated by: ☐ oil or scum line along shore objects ☐ fine shell or debris deposits (foreshore) ☐ physical markings/characteristics ☐ tidal gages ☐ other:				
	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types. Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:				
Bas	Basis For Not Asserting Jurisdiction: The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, o rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CF 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:				
	Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain): REVIEWED FOR JURSIDICTIONAL DETERMINATION (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated September 2005, prepared by (company): This office does not concur with the delineation report, dated prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Autural Resources Conservation Service Soil Survey: National wetlands inventory maps: State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date): Other photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on: Applicable/supporting case law: Other information (please specify):				

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DISTRICT OFFICE: Nashville **FILE NUMBER:** 200700225

rion information: essee fayne tes of site (latitude/longitude ze of area (parcel) reviewed, t waterway: Big Shawnette of hed: Pickwick DETERMINATION Desktop determination	including	35.18/87.69 uplands:		
Site visit(s)	\boxtimes	Date: 2/07/07 Date(s):		
Determination (ID):				
Preliminary JD - Based on available information,				
	ppealable	action (Reference 33 CFR part 331).		
There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:				
☐ <i>There are</i> "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area: 360 linear feet.				
 There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area. Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of Jurisdiction. 				
fined under 33 CFR part 3 ce of waters that are subject	329 as "na to the ebb	wigable waters of the United States": and flow of the tide and/or are presently used, or have been used in at interstate or foreign commerce.		
esence of waters, which are our foreign commerce, including sence of interstate waters in esence of other waters such a wetlands, sloughs, prairie pour of which could affect intersich are or could be used by it on which fish or shellfish are hich are or could be used for adments of waters otherwise esence of a tributary to a watersence of territorial seas.	currently ung all water cluding in as intrastat tholes, we state communerstate or could reindustria defined as er identification.	used, or were used in the past, or may be susceptible to use in ers which are subject to the ebb and flow of the tide. Iterstate wetlands l. Ite lakes, rivers, streams (including intermittent streams), mudflats, it meadows, playa lakes, or natural ponds, the use, degradation or merce including any such waters (check all that apply): or foreign travelers for recreational or other purposes. Ite be taken and sold in interstate or foreign commerce. I purposes by industries in interstate commerce. I waters of the US. I waters of the US.		
	Determination (JD): Ty JD - Based on available inters" and/or "navigable water at 33 CFR part 331). JD - An approved JD is an athat apply: The "navigable waters of the ed area. Approximate size of the ed area. Approximate size of justice. The "waters of the United Statera. Approximate size of justice. Decision supported Jurisdiction. DICTIONAL DETERMINATION of the ed and and and and are subject or may be susceptible for use of waters that are subject or may be susceptible for use or foreign commerce, including esence of interstate waters in esence of other waters such a wetlands, sloughs, prairie point of which could affect interstate waters in esence of other waters such a wetlands, sloughs, prairie point of which could affect interstate waters in esence of other waters otherwise esence of a tributary to a water esence of a tributary to a water esence of territorial seas.	Determination (JD): Ty JD - Based on available information. Ty JD - Based on available information. Ty JD - An approved JD is an appealable that apply: Ty JD - An approved JD - An appeala		

Lat ⊠	eral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: ☐ clear, natural line impressed on the bank ☐ the presence of litter and debris ☐ changes in the character of soil ☐ destruction of terrestrial vegetation ☐ shelving ☐ other: ☐ other: ☐ High Tide Line indicated by: ☐ oil or scum line along shore objects ☐ fine shell or debris deposits (foreshore) ☐ physical markings/characteristics ☐ tidal gages ☐ other:				
	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types. Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:				
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	Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain): REVIEWED FOR JURSIDICTIONAL DETERMINATION (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated September 2005, prepared by (company): This office does not concur with the delineation report, dated prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Autural Resources Conservation Service Soil Survey: National wetlands inventory maps: State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date): Other photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on: Applicable/supporting case law: Other information (please specify):				

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DISTRICT OFFICE: Nashville **FILE NUMBER: 200700224**

		INFORMATION:		
Cen App Nan	nty: Wayne ter coordinates or proximate size of	e of site (latitude/longitude farea (parcel) reviewed, terway: Double Branch		35.20/87.62 g uplands:
	npleted: Desk	ETERMINATION top determination visit(s)	\boxtimes	Date: 2/07/07 Date(s):
Jur	isdictional Dete	rmination (JD):		
		and/or "navigable water		, \boxtimes there appear to be (or) \square there appear to be no "waters of the Inited States" on the project site. A preliminary JD is not appealable
	Approved JD – Check all that a	* *	ppealable	e action (Reference 33 CFR part 331).
		navigable waters of the rea. Approximate size o		ates" (as defined by 33 CFR part 329 and associated guidance) within ional area:
		waters of the United Sta Approximate size of ju		defined by 33 CFR part 328 and associated guidance) within the al area: 360 linear feet.
	☐ There are "	_		tte waters or wetlands" within the reviewed area. NCC/Migratory Bird Rule Information Sheet for Determination of No.
BASIS (OF JURISDICT	IONAL DETERMINA	ATION:	
A.	The presence of	f waters that are subject	to the ebb	avigable waters of the United States": o and flow of the tide and/or are presently used, or have been used in out interstate or foreign commerce.
B. ⊠ □	(1) The present interstate or for (2) The present (3) The present sandflats, wetla destruction of v (i) which a	the of waters, which are of the commerce, including the of interstate waters in the of other waters such a lands, sloughs, prairie powhich could affect intersure or could be used by it	currently ung all wat cluding in as intrastat tholes, we state commenterstate of	te lakes, rivers, streams (including intermittent streams), mudflats, et meadows, playa lakes, or natural ponds, the use, degradation or nerce including any such waters (check all that apply): or foreign travelers for recreational or other purposes.
	(4) Impoundment (5) The present (6) The present	are or could be used for ents of waters otherwise the of a tributary to a water of territorial seas.	r industria defined a er identifi	

Lat ⊠	eral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: ☐ clear, natural line impressed on the bank ☐ the presence of litter and debris ☐ changes in the character of soil ☐ destruction of terrestrial vegetation ☐ shelving ☐ other: ☐ other: ☐ High Tide Line indicated by: ☐ oil or scum line along shore objects ☐ fine shell or debris deposits (foreshore) ☐ physical markings/characteristics ☐ tidal gages ☐ other:				
	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types. Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:				
Bas	Basis For Not Asserting Jurisdiction: The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, o rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CF 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:				
	Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain): REVIEWED FOR JURSIDICTIONAL DETERMINATION (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated September 2005, prepared by (company): This office does not concur with the delineation report, dated prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Autural Resources Conservation Service Soil Survey: National wetlands inventory maps: State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date): Other photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on: Applicable/supporting case law: Other information (please specify):				

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DISTRICT OFFICE: Nashville **FILE NUMBER: 200700223**

PROJEC	CT LOCATION INFORMATION:		
State	e: Tennessee		
Cou	nty: Wayne		
Cen	ter coordinates of site (latitude/longitude	le):	35.25/87.63
	proximate size of area (parcel) reviewed		g uplands:
	ne of nearest waterway: Factory Branch		
	ne of watershed: Bufflo River		
JURISD	ICTIONAL DETERMINATION		
	npleted: Desktop determination	\boxtimes	Date: 2/07/07
002	Site visit(s)		Date(s):
	Site visit(s)		Date(s).
Juri	isdictional Determination (JD):		
\boxtimes			n, ⊠ there appear to be (or) ☐ there appear to be no "waters of the United States" on the project site. A preliminary JD is not appealable
	Approved JD – An approved JD is an Check all that apply:	appealable	e action (Reference 33 CFR part 331).
	☐ <i>There are</i> "navigable waters of the the reviewed area. Approximate size		ates" (as defined by 33 CFR part 329 and associated guidance) within tional area:
	There are "waters of the United St reviewed area. Approximate size of ju		defined by 33 CFR part 328 and associated guidance) within the al area: 360 linear feet.
			ate waters or wetlands" within the reviewed area. NCC/Migratory Bird Rule Information Sheet for Determination of No.
BASIS (OF JURISDICTIONAL DETERMIN	ATION.	
			avigable waters of the United States":
A.		t to the ebl	and flow of the tide and/or are presently used, or have been used in
В.	Waters defined under 33 CFR part	328 3(a) a	s "waters of the United States":
\boxtimes			used, or were used in the past, or may be susceptible to use in
			ters which are subject to the ebb and flow of the tide.
	(2) The presence of interstate waters in		
H			te lakes, rivers, streams (including intermittent streams), mudflats,
_			et meadows, playa lakes, or natural ponds, the use, degradation or
			merce including any such waters (check all that apply):
			or foreign travelers for recreational or other purposes.
			be taken and sold in interstate or foreign commerce.
			al purposes by industries in interstate commerce.
	(4) Impoundments of waters otherwise		
H	(5) The presence of a tributary to a wa		
	(6) The presence of a tributary to a way	aci identii.	100 III (1) (1) 40010.
		² to other v	waters of the US, except for those wetlands adjacent to other wetlands.

Lat ⊠	eral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: ☐ clear, natural line impressed on the bank ☐ the presence of litter and debris ☐ changes in the character of soil ☐ destruction of terrestrial vegetation ☐ shelving ☐ other: ☐ other: ☐ High Tide Line indicated by: ☐ oil or scum line along shore objects ☐ fine shell or debris deposits (foreshore) ☐ physical markings/characteristics ☐ tidal gages ☐ other:
	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types. Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	is For Not Asserting Jurisdiction: The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:
	Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain): REVIEWED FOR JURSIDICTIONAL DETERMINATION (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated September 2005, prepared by (company): This office does not concur with the delineation report, dated prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Autural Resources Conservation Service Soil Survey: National wetlands inventory maps: State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date): Other photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on: Applicable/supporting case law: Other information (please specify):

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DISTRICT OFFICE: Nashville **FILE NUMBER: 200700222**

PRO	Cou Cen App Nan	ct Location information: e: Tennessee unty: Wayne ter coordinates of site (latitude/longitude): 35.31/87.71 proximate size of area (parcel) reviewed, including uplands: the of nearest waterway: Long Hollow Branch the of watershed: Bufflo River
JUF		ICTIONAL DETERMINATION npleted: Desktop determination
	Juri	isdictional Determination (JD):
		Preliminary JD - Based on available information, \(\subseteq \text{ there appear to be (or) } \subseteq there appear to be no "waters of the United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331).
		Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply:
		There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:
		There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area: 360 linear feet.
		There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area. Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction.
BAS	A.	OF JURISDICTIONAL DETERMINATION: Waters defined under 33 CFR part 329 as "navigable waters of the United States": The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.
	B. ⊠	Waters defined under 33 CFR part 328.3(a) as "waters of the United States": (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide.
		 (2) The presence of interstate waters including interstate wetlands¹. (3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply): (i) which are or could be used by interstate or foreign travelers for recreational or other purposes. (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.
		 (iii) which are or could be used for industrial purposes by industries in interstate commerce. (4) Impoundments of waters otherwise defined as waters of the US. (5) The presence of a tributary to a water identified in (1) – (4) above. (6) The presence of territorial seas. (7) The presence of wetlands adjacent² to other waters of the US, except for those wetlands adjacent to other wetlands

Lat ⊠	eral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: ☐ clear, natural line impressed on the bank ☐ the presence of litter and debris ☐ changes in the character of soil ☐ destruction of terrestrial vegetation ☐ shelving ☐ other: ☐ other: ☐ High Tide Line indicated by: ☐ oil or scum line along shore objects ☐ fine shell or debris deposits (foreshore) ☐ physical markings/characteristics ☐ tidal gages ☐ other:
	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types. Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	is For Not Asserting Jurisdiction: The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:
	Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain): REVIEWED FOR JURSIDICTIONAL DETERMINATION (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated September 2005, prepared by (company): This office does not concur with the delineation report, dated prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Autural Resources Conservation Service Soil Survey: National wetlands inventory maps: State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date): Other photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on: Applicable/supporting case law: Other information (please specify):

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DISTRICT OFFICE: Nashville **FILE NUMBER: 200700221**

S	State	e: Ter	ATION IN nnessee Wayne	NFORMAT	ΓΙΟΝ:		
(1	Cent App Nam	ter coording roximate and of neare	nates of si size of are est watery	ite (latitude ea (parcel) i vay: Mink l ifflo River	reviewed,		35.34/87.75 guplands:
				ERMINAT determinat t(s)		\square	Date: 2/07/07 Date(s):
	Juri	sdictiona	l Determ	ination (JI)):		
I	\boxtimes	United St	tates" and		ıble water		, ⊠ there appear to be (or) ☐ there appear to be no "waters of the nited States" on the project site. A preliminary JD is not appealable
I			d JD – Ar l that app		JD is an a	ppealable	action (Reference 33 CFR part 331).
				igable wate Approxim			ates" (as defined by 33 CFR part 329 and associated guidance) within ional area:
							lefined by 33 CFR part 328 and associated guidance) within the al area: 360 linear feet.
		There	e are "iso		supported		te waters or wetlands" within the reviewed area. NCC/Migratory Bird Rule Information Sheet for Determination of No
BASI	S O	F JURIS	DICTIO	NAL DET	ERMINA	TION:	
1	4.	Waters of The prese	defined u ence of wa	nder 33 Cl aters that a	F R part 3 re subject	29 as "na to the ebb	vigable waters of the United States": o and flow of the tide and/or are presently used, or have been used in nt interstate or foreign commerce.
	B. ⊠	(1) The p interstate (2) The p (3) The p sandflats destruction	oresence of oresence of oresence of oresence of , wetlands	of waters, we not commerce of interstate of other waters, sloughs, put could af	which are c e, including waters index ers such a prairie pot fect inters	currently using all wat cluding in as intrastat tholes, we tate comm	s "waters of the United States": used, or were used in the past, or may be susceptible to use in ers which are subject to the ebb and flow of the tide. uterstate wetlands . te lakes, rivers, streams (including intermittent streams), mudflats, at meadows, playa lakes, or natural ponds, the use, degradation or merce including any such waters (check all that apply):
[[[(ii) f (iii) (4) Import (5) The p (6) The p	from which which are undments presence of presence of	th fish or she or could be of waters of a tributary of territorial	nellfish are be used for otherwise y to a wate seas.	e or could industria defined as er identifi	or foreign travelers for recreational or other purposes. be taken and sold in interstate or foreign commerce. I purposes by industries in interstate commerce. Is waters of the US. ed in (1) – (4) above.

Lat ⊠	eral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: ☐ clear, natural line impressed on the bank ☐ the presence of litter and debris ☐ changes in the character of soil ☐ destruction of terrestrial vegetation ☐ shelving ☐ other: ☐ other: ☐ High Tide Line indicated by: ☐ oil or scum line along shore objects ☐ fine shell or debris deposits (foreshore) ☐ physical markings/characteristics ☐ tidal gages ☐ other:
	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types. Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	is For Not Asserting Jurisdiction: The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:
	Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain): REVIEWED FOR JURSIDICTIONAL DETERMINATION (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated September 2005, prepared by (company): This office does not concur with the delineation report, dated prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Autural Resources Conservation Service Soil Survey: National wetlands inventory maps: State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date): Other photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on: Applicable/supporting case law: Other information (please specify):

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DISTRICT OFFICE: Nashville **FILE NUMBER: 200700220**

PRO.	JEC	CT LOCA	TION IN	FORMAT	TION:		
5	State	e: Ten	nessee				
(Cou	nty: \	Vayne				
(Cent	ter coordin	ates of sit	e (latitude/	/longitude	e):	35.45/87.79
A	App:	roximate s	ize of are	a (parcel) r	eviewed,	including	g uplands:
				ay: Choate		Č	
		ne of water		•			
Bufflo							
JUR	ISD	ICTION	AL DETE	RMINAT	ION		
				determinat		\boxtimes	Date: 2/07/07
		1	Site visit				Date(s):
			Site visit	(3)		_	Date(s).
J	Juri	sdictional	Determi	nation (JD)):		
	\boxtimes	United St	ates" and/		ble water		, \boxtimes there appear to be (or) \square there appear to be no "waters of the United States" on the project site. A preliminary JD is not appealable
[Approved Check all			JD is an a	ppealable	e action (Reference 33 CFR part 331).
		There	<i>are</i> "navi ved area.	gable wate Approxim	ers of the Vate size of	United Sta f jurisdict	ates" (as defined by 33 CFR part 329 and associated guidance) within tional area:
							defined by 33 CFR part 328 and associated guidance) within the al area: 360 linear feet.
		☐ There	are "isolo		supported		tte waters or wetlands" within the reviewed area. NCC/Migratory Bird Rule Information Sheet for Determination of No.
RACI	'S ()	E HIDIG	DICTION	NAL DETI	FDMINA	TION.	
	4.	Waters d The prese	l efined un nce of wa	der 33 CF ters that ar	R part 3 e subject	29 as "na to the ebb	avigable waters of the United States": b and flow of the tide and/or are presently used, or have been used in out interstate or foreign commerce.
_	B. ⊠	(1) The p	resence of	waters, w	hich are c	urrently u	s "waters of the United States": used, or were used in the past, or may be susceptible to use in ters which are subject to the ebb and flow of the tide.
]		(3) The property sandflats, destruction (i) w	resence of wetlands on of whic hich are o	other wate, sloughs, placed aff or could be	ers such a prairie pot fect inters used by in	s intrastat holes, we tate comm nterstate o	nterstate wetlands ¹ . te lakes, rivers, streams (including intermittent streams), mudflats, et meadows, playa lakes, or natural ponds, the use, degradation or merce including any such waters (check all that apply): or foreign travelers for recreational or other purposes.
]]]		(4) Impout (5) The part (6) The part (5)	which are indments resence of resence of	or could be of waters of a tributary territorial	e used for otherwise y to a wate seas.	industria defined as er identifi	be taken and sold in interstate or foreign commerce. If purposes by industries in interstate commerce. If was waters of the US. If the distribution in the state commerce is waters of the US. If the distribution in the state of the US, except for those wetlands adjacent to other wetlands.

Lat ⊠	eral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: ☐ clear, natural line impressed on the bank ☐ the presence of litter and debris ☐ changes in the character of soil ☐ destruction of terrestrial vegetation ☐ shelving ☐ other: ☐ other: ☐ High Tide Line indicated by: ☐ oil or scum line along shore objects ☐ fine shell or debris deposits (foreshore) ☐ physical markings/characteristics ☐ tidal gages ☐ other:
	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types. Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	is For Not Asserting Jurisdiction: The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:
	Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain): REVIEWED FOR JURSIDICTIONAL DETERMINATION (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated September 2005, prepared by (company): This office does not concur with the delineation report, dated prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Autural Resources Conservation Service Soil Survey: National wetlands inventory maps: State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date): Other photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on: Applicable/supporting case law: Other information (please specify):

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

U.S. Army Corps of Engineers

DISTRICT OFFICE: Nashville **FILE NUMBER:** 200100098

PROJECT LOCATION INFORMATION:

State: Alabama County: Morgan

Center coordinates of site (latitude/longitude): 34-34-6.4920 / 87-1-7.6080

Approximate size of area (parcel) reviewed, including uplands: 35 acres.

Name of nearest waterway: Clark Springs Branch

Name of watershed: Tennessee River

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Jurisdictional Determination	(III)	۱

	Preliminary JD - Based on available information, \square <i>there appear to be</i> (or) \square <i>there appear to be no</i> "waters of the United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331).
\boxtimes	Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply:
	There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:
	There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area: 1 acre.
	There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area. Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction.

BASIS OF JURISDICTIONAL DETERMINATION:

A.	Waters defined under 33 CFR part 329 as "navigable waters of the United States":
	The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in
	the past, or may be susceptible for use to transport interstate or foreign commerce.

B. Waters defined under 33 CFR part 328.3(a) as "waters of the United States":

(1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in
interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide.
(2) The presence of interstate waters including interstate wetlands ¹ .
(3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats.
sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or
destruction of which could affect interstate commerce including any such waters (check all that apply):
(i) which are or could be used by interstate or foreign travelers for recreational or other purposes.
(ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.

(iii) which are or could be used for industrial purposes by industries in interstate commerce.

(4) Impoundments of waters otherwise defined as waters of the US.

(4) Impoundments of waters otherwise defined as waters of the U.S. (5) The presence of a tributary to a water identified in (1) – (4) above.

(6) The presence of territorial seas.

(7) The presence of wetlands adjacent² to other waters of the US, except for those wetlands adjacent to other wetlands.

Lat ⊠	eral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: □ clear, natural line impressed on the bank □ the presence of litter and debris □ changes in the character of soil □ destruction of terrestrial vegetation □ shelving □ other: □ tidal gages □ other: □ other: □ other: □ others □ High Tide Line indicated by: □ oil or scum line along shore objects fine shell or debris deposits (foreshore) □ physical markings/characteristics □ tidal gages □ other:
	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain):
DATA I	Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: Trinity, Alabama U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Dealogical Survey 15 Minute Historic quadrangles: U.S. Actual Resources Conservation Service Soil Survey: Morgan County National wetlands inventory maps: State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date): Other photographs (Name & Date): Site visit/determination conducted on: 1/24/2007 Applicable/supporting case law: Other information (please specify):

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

U.S. Army Corps of Engineers

DISTRICT OFFICE: Nashville **FILE NUMBER:** 2007-196

PROJECT LOCATION INFORMATION:

State: Alabama County: Morgan

Center coordinates of site (latitude/longitude): 34-25.950 / 87-00.737 Approximate size of area (parcel) reviewed, including uplands: 23 acres. Name of nearest waterway: Unnamed Tributary to Crowdabout Creek

Name of watershed: Tennessee River

J	U	R	IS	D	1	C	Т	I	O	10	V.	A	L	\mathbf{L}	E	ľ	ľ	C	R	Ν	\mathbf{I}	Π	N.	4	Т	I	o	1	١
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Completed: Desktop determination ☐ Date: 02/01/2007
Site visit(s) ☐ Date(s): 01/31/2007

Jur	isdictional Determination (JD):
	Preliminary JD - Based on available information, \square <i>there appear to be</i> (or) \square <i>there appear to be no</i> "waters of the United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331).
\boxtimes	Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply:
	☐ <i>There are</i> "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:
	There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the

reviewed area. Approximate size of jurisdictional area: 300 linear feet.

☐ There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area.

☐ Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction.

BASIS OF JURISDICTIONAL DETERMINATION:

Α.	Waters defined under 33 CFR part 329 as "navigable waters of the United States":
	The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in
	the past, or may be susceptible for use to transport interstate or foreign commerce.
В.	Waters defined under 33 CFR part 328.3(a) as "waters of the United States":
	(1) The massenge of victors, which are sumently used on views used in the next, or may be susceptible to use in

(1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide.
 (2) The presence of interstate waters including interstate wetlands¹.

(3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply):

(i) which are or could be used by interstate or foreign travelers for recreational or other purposes.

(ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.

(iii) which are or could be used for industrial purposes by industries in interstate commerce. (4) Impoundments of waters otherwise defined as waters of the US.

(5) The presence of a tributary to a water identified in (1) – (4) above.

(6) The presence of territorial seas.

7) The presence of wetlands adjacent² to other waters of the US, except for those wetlands adjacent to other wetlands.

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). If the jurisdictional water or wetland is not itself a navigable water of the United States, describe connection(s) to the downstream navigable waters. If B(1) or B(3) is used as the Basis of Jurisdiction, document navigability and/or interstate commerce connection (i.e., discuss site conditions, including why the waterbody is navigable and/or how the destruction of the waterbody could affect interstate or foreign commerce). If B(2, 4, 5 or 6) is used as the Basis of Jurisdiction, document the rationale used to make the determination. If B(7) is used as the Basis of Jurisdiction, document the rationale used to make adjacency determination: Unnamed Tributary to Crowdabout Creek Mile 1.2, Left Bank. Crowdabout Creek flows into Flint Creek Mile 20.8, Left Bank. Flint Creek flows into the Tennessee River, a navigable water, at Mile 310.0, Left Bank

	eral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: □ clear, natural line impressed on the bank □ the presence of litter and debris □ changes in the character of soil □ destruction of terrestrial vegetation □ shelving □ other: □ tidal gages □ other:
	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types. Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	is For Not Asserting Jurisdiction: The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain):
DATA F	REVIEWED FOR JURSIDICTIONAL DETERMINATION (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: Danville, Alabama U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: USDA Natural Resources Conservation Service Soil Survey: Stroups Crossroads Quad, Morgan County, Alabama National wetlands inventory maps: State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date): Other photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on: 01/31/2007 Applicable/supporting case law: Other information (please specify):

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

 $^{^{2}}$ The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

U.S. Army Corps of Engineers

DISTRICT OFFICE: NASHVILLE **FILE NUMBER:** 2007-00242

FILE NUMBE	R: 2007-00242		
State: Tent County: St Center coor Approxima Name of no		d, including	
JURISDICTIO	NAL DETERMINATION		
Completed	d: Desktop determination Site visit(s)	\square	Date: Date(s): February 5, 2007
Jurisdictio	onal Determination (JD):		
United			☐ there appear to be (or) ☑ there appear to be no "waters of the Jnited States" on the project site. A preliminary JD is not appealable
	wed JD – An approved JD is an a all that apply:	appealable	action (Reference 33 CFR part 331).
	here are "navigable waters of the viewed area. Approximate size		tates" (as defined by 33 CFR part 329 and associated guidance) within tional area:
	here are "waters of the United S wed area. Approximate size of j		defined by 33 CFR part 328 and associated guidance) within the al area:
			ate waters or wetlands" within the reviewed area. /Migratory Bird Rule Information Sheet for Determination of No
A. W ☐ TI	he presence of waters that are su	eart 329 as	""navigable waters of the United States": e ebb and flow of the tide and/or are presently used, or have been used sport interstate or foreign commerce.
(1) in (2) (2) (3) s. d	The presence of waters, which interstate or foreign commerce, it? The presence of interstate waters? The presence of other waters andflats, wetlands, sloughs, prailestruction of which could affect (i) which are or could be use (ii) from which fish or shellf	n are currer ncluding a ers includi such as inti irie pothole t interstate d by inters ish are or c	a) as "waters of the United States": ntly used, or were used in the past, or may be susceptible to use in ll waters which are subject to the ebb and flow of the tide. ng interstate wetlands¹. rastate lakes, rivers, streams (including intermittent streams), mudflats, es, wet meadows, playa lakes, or natural ponds, the use, degradation or commerce including any such waters (check all that apply): tate or foreign travelers for recreational or other purposes. could be taken and sold in interstate or foreign commerce. ustrial purposes by industries in interstate commerce.

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). If the jurisdictional water or wetland is not itself a navigable water of the United States, describe connection(s) to the downstream navigable waters. If B(1) or B(3) is used as the Basis of Jurisdiction, document navigability and/or interstate commerce connection (i.e., discuss site conditions, including why the waterbody is navigable and/or how the destruction of the waterbody could affect interstate or foreign commerce). If B(2, 4, 5 or 6) is used as the Basis of Jurisdiction, document the rationale used to make the determination. If B(7) is used as the Basis of Jurisdiction, document the rationale used to make adjacency determination:

(7) The presence of wetlands adjacent² to other waters of the US, except for those wetlands adjacent to other

(4) Impoundments of waters otherwise defined as waters of the US.(5) The presence of a tributary to a water identified in (1) – (4) above.

(6) The presence of territorial seas.

wetlands.

Lateral Extent of Jurisdiction: (Reference: 33 CFR parts 328 Ordinary High Water Mark indicated by:	High Tide Line indicated by:
clear, natural line impressed on the bank the presence of litter and debris	oil or scum line along shore objectsfine shell or debris deposits (foreshore)
changes in the character of soil	physical markings/characteristics
destruction of terrestrial vegetation	tidal gages
shelving	other:
other:	_ outer.
☐ Mean High Water Mark indicated by:	_
survey to available datum; physical markings;	
☐ Wetland boundaries, as shown on the attached wetland del	ineation map and/or in a delineation report prepared by:
Basis For Not Asserting Jurisdiction: The reviewed area consists entirely of uplands.	
Unable to confirm the presence of waters in 33 CFR part 3	
Headquarters declined to approve jurisdiction on the basis	
The Corps has made a case-specific determination that the United States:	following waters present on the site are not Waters of the
☐ Waste treatment systems, including treatment ponds of Artificially irrigated areas, which would revert to uplate the control of the contro	
	or diking dry land to collect and retain water and which are
used exclusively for such purposes as stock watering	
	l ornamental bodies of water created by excavating and/or
diking dry land to retain water for primarily aesthetic	
	al to construction activity and pits excavated in dry land for the
	until the construction or excavation operation is abandoned
☐ Isolated, intrastate wetland with no nexus to interstate	of waters of the United States found at 33 CFR 328.3(a).
	al Resources Conservation Service. Explain rationale:
Non-tidal drainage or irrigation ditches excavated on	
Other (explain):	
DATA REVIEWED FOR JURSIDICTIONAL DETERMINAT	
Maps, plans, plots or plat submitted by or on behalf of the	
Data sheets prepared/submitted by or on behalf of the appl	
This office concurs with the delineation report, dated	
☐ This office does not concur with the delineation repor☐ Data sheets prepared by the Corps.	rt, dated , prepared by (company):
Corps' navigable waters' studies:	
U.S. Geological Survey Hydrologic Atlas:	
U.S. Geological Survey 7.5 Minute Topographic maps: Ca	arthage
U.S. Geological Survey 7.5 Minute Historic quadrangles:	
U.S. Geological Survey 15 Minute Historic quadrangles:	
USDA Natural Resources Conservation Service Soil Surve	ey:
National wetlands inventory maps:	
State/Local wetland inventory maps:	
FEMA/FIRM maps (Map Name & Date):	
☐ 100-year Floodplain Elevation is: (NGVD) ☐ Aerial Photographs (Name & Date):	
Other photographs (Date):	
Advanced Identification Wetland maps:	
Site visit/determination conducted on: Feb. 5, 2007	
Applicable/supporting case law:	
Other information (please specify):	
	G : DND
Project Manager/Regulatory SpecialistKJK	SupervisorBNB

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DISTRICT OFFICE: Nashville **FILE NUMBER: 200700239**

Star Cou Cer App	te: Ten unty: (nter coordin proximate s	ATION INFORMATION: nnessee Cheatham nates of site (latitude/longitude size of area (parcel) reviewed est waterway: Half Pone Cree	, including	36.37/87.23 g uplands:
		rshed: Lower Cumberland		
		AL DETERMINATION Desktop determination Site visit(s)		Date: 2/08/07 Date(s):
Jur	risdictiona	l Determination (JD):		
	United St			, \(\sum \) there appear to be (or) \(\sum \) there appear to be no "waters of the (nited States" on the project site. A preliminary JD is not appealable
		d JD – An approved JD is an l that apply:	appealable	action (Reference 33 CFR part 331).
		e are "navigable waters of the wed area. Approximate size of		ates" (as defined by 33 CFR part 329 and associated guidance) within ional area:
		e are "waters of the United Starea. Approximate size of ju		lefined by 33 CFR part 328 and associated guidance) within the al area: 360 linear feet.
	☐ There			te waters or wetlands" within the reviewed area. NCC/Migratory Bird Rule Information Sheet for Determination of No
BASIS (OF JURIS	DICTIONAL DETERMIN	ATION:	
A.	The prese	ence of waters that are subject	t to the ebb	vigable waters of the United States": o and flow of the tide and/or are presently used, or have been used in rt interstate or foreign commerce.
В.	Waters d	defined under 33 CFR nart	328 3(a) as	s "waters of the United States":
\boxtimes	(1) The p	presence of waters, which are	currently u	used, or were used in the past, or may be susceptible to use in
		or foreign commerce, included or sence of interstate waters in		ers which are subject to the ebb and flow of the tide.
				te lakes, rivers, streams (including intermittent streams), mudflats,
				et meadows, playa lakes, or natural ponds, the use, degradation or
				nerce including any such waters (check all that apply): or foreign travelers for recreational or other purposes.
				be taken and sold in interstate or foreign commerce.
				l purposes by industries in interstate commerce.
		undments of waters otherwise oresence of a tributary to a wa		
		presence of a tributary to a wa	ici idelitill	CG III (1) (7) MDOVC.
			to other w	vaters of the US, except for those wetlands adjacent to other wetlands.

Lat 🖾	eral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: □ clear, natural line impressed on the bank □ the presence of litter and debris □ changes in the character of soil □ destruction of terrestrial vegetation □ shelving □ other: □ ordinary High Tide Line indicated by: □ oil or scum line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics tidal gages other:
	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	is For Not Asserting Jurisdiction: The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain):
DATA I	Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated September 2005, prepared by (company): This office does not concur with the delineation report, dated September 2005, prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Actual Resources Conservation Service Soil Survey: National wetlands inventory maps: State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date): Other photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on: Applicable/supporting case law: Other information (please specify):

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.